IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 11882 of 2005

Between:

Kalidindi Lachi Raju, s/o Seetharama Raju,
r/o Srungavruksham, Palakoderu Mandal, West Godavari District.

..... PETITIONER

AND

1 The Government of A.P., rep., by its Secretary, Department of Endowments, Secretariat, Hyderabad.
2 The Commissioner of Endowments, Government of A.P., Endowments Department, Bogullakunta, Hyderabad.
3 Sree Malleswara Swamy Temple, rep., by Executive Authority, Srungavruksham, Palakoderu Mandal, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue order or orders, direction or directions, writ or writs, particularly one in the nature of "writ of mandamus" declaring the action of the respondent No.3 in issuing the impugned notice No.9/2005 dt. 30-4-2005 in form 1 under Rule 5(1) of the Rules as unconstitutional, ultra virus of the Sec.83 of the Act 30 of 1987 and set aside the same and declare the proposed action of the respondents in evicting the petitioner from the lands to the extent of Ac.2.13 cents situated in R.S.No.85/1 of Srungavruksham Village, Palakoderu Mandal, West Godavari District as illegal, arbitrary and violative of Fundamental Rights guaranteed under the Constitution of India, consequently direct the respondents not to evict the petitioner from the above said lands and to pass such other orders as are necessary in the interest of justice.

Counsel for the Petitioner: MR.K.L.N.SWAMY

Counsel for the Respondent Nos.1 to 3: GP FOR ENDOWMENTS

The Court, at the stage of admission, made the following:

Oral order:-

Heard the learned counsel for the petitioner and the learned Government Pleader for Endowments.

It is the synoptic case of the learned counsel for the petitioner and the learned Government Pleader that the writ petition could be disposed of in terms of the judgment of this Court dated 07-06-2005 in W.P.No. 11821 of 2005. The writ petition is accordingly disposed of in terms of the judgment above. The copy of the said judgment be appended to this order. No costs.

GODA RAGHURAM, J

Dt. 08-06-2005

Pvks/*

To

1 The Secretary, Department of Endowments, the Government of A.P., Secretariat, Hyderabad.
2 The Commissioner of Endowments, Government of A.P., Endowments Department, Bogullakunta, Hyderabad.
3 The Executive Authority, Sree Malleswara Swamy Temple, Srungavruksham, Palakoderu Mandal, West Godavari District.

4. 2 CCs to the Government Pleader for Endowments, A.P. High Court Buildings, Hyderabad (OUT).

5. 2 CD copies

*Form-NIC-OGS/WP{**RS**}*

(Enclosed along with copy of order dated 07-06-2005 made in W.P.No. 11821 of 2005 to RR.1 to 5)